IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 1 9 2005 n Be Application of:

Shane M. Tulloch; et al.

Application No.: 09/753,328

Filed: Dec. 29, 2000

For: METHOD OF TRANSFORMATIONAL

BIDDING WITH REBATES AND

DISCOUNTS

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Examiner: Jagdish Patel

Art Unit: 3624

Confirmation No.: 8416

INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed is a copy of Information Disclosure Citation Form PTO-1449 or PTO/SB/08 together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed for applications filed after June 30, 2003). It is respectfully requested that the cited documents be considered and that the enclosed copy of Information Disclosure Citation Form PTO-1449 or PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

FIRST CLASS CERTIFICATE OF MAILING

I, <u>David Castro</u>, hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop Amendment to the Comprissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on <u>05/16/2005</u> by:

05/20/2005 RMEBRAHT 00000039 09753328

Pursuant to 37 C.F.R. § 1.97, the submission of this Information

Disclosure Statement is not to be construed as a representation that a search

has been made and is not to be construed as an admission that the information

cited in this statement is material to patentability.

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

37	C.	F.	R.	§	1.97	7(b).
	37	37 C.	37 C.F.	37 C.F.R.	37 C.F.R. §	37 C.F.R. §1.97	37 C.F.R. §1.97(b

XXX 37 C.F.R. §1.97(c). If so, then enclosed with this Information Disclosure Statement is one of the following:

____ A statement pursuant to 37 C.F.R. §1.97(e) or

XXX A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p).

_____ 37 C.F.R. §1.97(d). If so, then enclosed with this Information Disclosure Statement are the following:

- (1) A statement pursuant to 37 C.F.R. §1.97(e); and
- (2) A check for \$180.00 for the fee under 37 C.F.R. §1.17(p) for submission of the Information Disclosure Statement.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: May 16, 2005

Kevin G. Shao Reg. No. 45,095

12400 Wilshire Blvd. Seventh Floor Los Angeles, CA 90025 (408) 720-8300

Application No.: 09/753,328 - 2 - Docket No.: 003660.P021X2

Substitute	for Form 1449	/PTO	-		Complete in	f Known
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Examiner	Cite No.	1	U.S. PATEN	Publication Date	Name of Patentee or	Pages, Columns, Lines,
Initials*	Cite No.		Document Number	MM-DD-YYYY	Applicant of Cited Document	Where Relevant
		Number-Kind Code ² (If known)				Passages or Relevant Figures Appear
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		US-	3,637,464	1/25/1972	Walsh et al.	·
		US-	3,863,060	1/28/1975	Rode et al.	
		US-	4,597,045	6/24/1986	Kiuchi	
		US-	4,799,156	1/17/1989	Shavit et al.	
•		US-	5,629,982	5/13/1997	Micali	
		US-	5,799,285	8/25/1998	Klingman	
		US-	5,803,500	9/8/1998	Mossberg	
		US-	5,809,483	9/15/1998	Broka et al.	
		US-	5,832,496	11/3/1998	Anand	
		US-	5,862,223	1/19/1999	Walker et al.	
		US-	5,897,621	4/27/1999	Boesch et al.	
		US-	5,905,974	5/18/1999	Fraser et al.	
	4	·US-	5,915,209	6/22/1999	Lawrence	1.
		US-	5,966,699	10/12/1999	Zandi	
		US-	6,014,627	1/11/2000	Togher et al.	

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Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Тв
		EP 0 399 850 A	11/28/1990	Silverman		
		JP 409101994A1	3/11/1998	Inda		
		JP 410078992A	4/15/1997	Mori et al.		
		WO 92/15174	9/3/1992	Grusin et al.		
1,-11		WO 98/34187 A1	8/6/1998	Grofthauge et al.		

Examiner	Date Considered	
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		US-	6,021,398	2/1/2000	Ausubel	
		US-	6,023,685	2/8/2000	Brett et al.	
		US-	6,026,383	2/15/2000	Ausubel	
		US-	6,035,287	3/7/2000	Stallaert et al.	
		US-	6,047,274	4/4/2000	Johnson et al.	
		US-	6,052,108	4/18/2000	Gadd	
		US-	6,055,518	4/25/2000	Franklin et al.	*** • •
		US-	6,058,379	5/2/2000	Odom et al.	
		US-	6,061,663	5/9/2000	Bloom et al.	
	-	US-	6,078,906	6/20/2000	Huberman	
		US-	6,119,229	9/12/2000	Martinez et al.	
		US-	6,131,087	10/10/2000	Luke et al.	
		US-	6,151,589	11/21/2000	Aggarwal et al.	
		US-	6,161,099	12/12/2000	Harrington et al.	
		US-	6,178,431 B1	1/23/2001	Douglas	

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-		WO 99/63461	12/9/1999	Dinwoodie		
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Complete	if Known
Application Number	09/753,328
Filing Date	December 29, 2000
First Named Inventor:	Shane M. Tulloch
Art Unit	3624
Examiner Name	Patel, Joseph
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		Number-Kind Code ² (If known)				Passages or Relevant Figures Appear
		US-	6,230,146 B1	5/8/2001	Alaia et al. (P019 Iss'd)	
		US-	6,266,652 B1	7/24/2001	Godin et al.	
		US-	6,275,807 B1	8/14/2001	Schirripa	
***		US-	6,343,277 B1	1/29/2002	Gaus et al.	
		US-	6,366,891 B1	4/2/2002	Feinberg	
		US-	US-2002-0013631-A1	1/31/2002	Parunak et al.	
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	J. Sairamesh, et al., "Economic Framework for Pricing and Charging in Digital Libraries," D-Lib Magazine, ISSN 1082-9873 (February 1996)						
		Online Bidding Software," Electronic Buyers' News, Issue No. 1072, p. 86, 1/6p (August 25,, 1997) "FairMarket Launches New Self-Serve Auctions," Business Wire, p6161495 (June 16, 1998)					
		"Broadvision Developing First Interactive Commerce Management System to Suporrt Online Sales & Marketing Process; New Software Category Necessary to Interactive Network Architecture," Business Wire, p. 5150152 (May 15, 1995)					
				o electronic marketp 30 (January 1998)	laces lower the price of good	s/" Communicaitons of the PCM, V.	
	- 	"Sold!	To the Lo	west Bidder," Comp	uter Finance, Vol. 6, No. 2 (J	uly 1995)	
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		"Venture 14, 1998	•	ts Fund Two Massac	chusettes Internet Related Co	ompanies," Boston Globe (January	
			Fehr, et a 5(12) (July		g in Sequential Auctions," Ox	ford Economic Papers, Vol. 46, No.	
				es Introduces New C uter Writers (March		iness Auction Software," Business	
		H. Kikuc First IEE	hi, Michae E Worksh	el Harkavy, and J.D. nop on Dependable a	Tygar, Multi-round Anonymo and Real-Time E-Commerce	us Auction, In Proceedings of the Systems, pp. 62-69, June 1998	
			o, "Buyers pril 22, 19		ew World of E-Commerce," P	Purchasing, Vol. 126, No. 6, p.	= .5
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Complete if Known Substitute for Form 1449/PTO Application Number 09/753,328 INFORMATION DISCLOSURE Filing Date December 29, 2000 STATEMENT BY APPLICANT First Named Inventor: Shane M. Tulloch (use as many sheets as necessary) Art Unit 3624 **Examiner Name** Patel, Joseph Attorney Docket Number 3660P021X2 5 5 of Sheet NON PATENT LITERATURE DOCUMENTS T² Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the Cite Examiner item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue No¹ Initials* number(s), publisher, city and/or country where published "What you need to know to bid in FCC's Narrowband Auction," Washington Telecom News, Vol. 2, No. 26, p. 6(2) (June 27, 1994) M. Reck, "Types of Electronic Auctions," Hochschule St. Gallen C. Wrigley, "Design Criteria for Electronic Market Servers," Electronic Markets, Vol. 7, No. 4 (1997) Wurman et al., "The Michigan Internet AuctionBot: A Configurable Auction Server for Human and Software Agents," Artificial Intelligence Laboratory, University of Michigan (1998) PCT Notification of Transmittal of International Preliminary Examination Report for PCT Counterpart Application No. PCT/US00/08522 Containing International Preliminary Examination Report (November 19, 2001)

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